No. 4930 EQUITY.

Elizabeth Davis, James L.

Davis & wife %c.

Ws.

Court for Frederick

County, in

Fannie H. Thomas, F. Granville Thomas her husband,
et al.

To the Honorable the Judges of the Circuit Court for Frederick County, in Equity.

The Bill of Complaint of Elizabeth G.Davis and James Lynn Davis & Jennie P.

Davis, the said Elizabeth of Frederick County in the State of Maryland and the said James L. Jennie P.being of Clarke County in the State of Virginia, Witnesseth;-

by shows; -

- 1st. That a certain James L. Davis died in Frederick County, about the month of July 1872 leaving a Last Will and Testament duly executed according to law, a copy whereof is herewith filed marked Exhibit "A" which with all other Exhibits herewith filed are prayed to be taken and considered as part hereof;
- 2. That said James L. Davis was seized and possessed at the time of his death of certain large & valuable tracts of parcels of land forming a farm and two wood lots; Certified Copies of the same hereas are filed as Exhibits B & C;
- That said Last Will provided that the Widow of the said Testator should receive the rents issues & profits of his said real estate so long as she should remain unmarried, while the distribution of the proceeds of his real estate, should one be made, was only to be upon the consent of the said Widow during her life;
- 4. That in the event of the death of said Elizabeth G.Davis widow of Testator, or in the event of a sale and distribution of the proceeds of said real estate during the life & with the consent of the said Widow the proceeds thereof, after the payment of debts if not paid and of the personal estate, directed to be made as follows;
- A. One Eight to a certain S. Hamner Davis a grandson of Testator less the sum of One Thousand Dollars; \$500 of which was to go to his daughter Fannie Davis if her education was not completed at the death of Testator and \$500 to go unto the Corpus of her Estate;
- B. One Lighth to shad J.Lynn Davis a son of Testator; as also an additional \$1000 beyong said 1/8 which,\$1000 is to be chargable with any debt due by said J.Lynn Davis to Testators Estate;
- C. One Righth to a certain Millie Louisa Cunningham, wife of William Armstrong Cunningham, a daughter of Testator.
- D. One Eighth to Mattie C. Cunningham wife of John A. H. Cunningham a daughter of Testator.
- E. One eighth to Elizabeth G.Johnson wife of Thomas Roger Johnson a daughter of Testator.
- F. One Lighth to Fannie W. Davis a daughter of Testator who has since Testators death intermarried with a certain F. Granville Thomas
- G. One Eighth to Nannie H. Davis a daughter of Testator;
- H. One Eighth to J.Lynn Davis in trust for Katie R.Davis intermarried with a certain F.Granville Thomas, for the benefit of the said Katie R.Thomas and her issue, upon the death of said Katie R.Thomas to her issue if any during their life or to them absolutely if they shall live to come, lawful age all of which will appear by reference to said Last Will and Testiment marked Exhibit "A"
- 5. And your Complainants further shows that said Last Will further provided that if the event of the death of any of Testators children named in said Will during the life